

TONOPAH DAILY BONANZA

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W. W. BOOTH, EDITOR AND MANAGER

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NEVADA'S UNDERGROUND RIVERS AND RESERVOIRS

JUDGE CHARLES C. GOODWIN has never been known to say an uncharitable word regarding any human being, dumb brute or inanimate object. In the latest issue of his interesting publication he reverts again to the home of his early manhood, Nevada, of which he always writes optimistically and lovingly. His theme, "Nevada Farming," credited from Goodwin's Weekly in last evening's Bonanza, is a subject that is well worthy the pen of other writers, although Judge Goodwin may be said to have created the theme, or he its foster father, so frequent and exhaustive have been his dissertations upon it. "Nevada farming," as he says, "is dependent largely upon irrigation by utilizing subterranean streams and reservoirs."

Nye county is probably more fortunately situated than any other portion of Nevada in this respect. It has few surface streams of any consequence and no lakes whatever, yet the annual precipitation would be ample for the production of crops if it were not that the soil is so easily percolated that the rain and snow waters immediately seek the impervious stratum which lies at varying depths beneath the surface. Some of this water is forever lost by finding its course through hidden channels to the Colorado, while the remainder is stored by rim-rock walls in vast basins where it may be obtained by the sinking of shallow wells and the installation of pumps.

Very rapidly are the land owners of Nye, particularly in the southern district, coming to realize that what are at present arid plains, may easily be converted into farms and orchards by the installation of pumps where artesian flow is now obtained. Already the state engineer is overwhelmed with applications for the utilization of subterranean waters. Already colonies are being established and oases budding forth on the desert. In the course of time, mining will no longer be the paramount industry of Nevada, although this does not mean that the lodes of ore will become exhausted and that new strikes will not be made to take the places of the old. Mining as the years go on will increase, rather than diminish, in importance. But in the meantime agriculture, which is now in its infancy, owing to the fact that dependence has hitherto been placed solely upon surface flows, will develop on a tremendous scale through the utilization of the waters which now hide themselves in subterranean reservoirs or steal away through hidden channels.

STATE MONEY WELL EXPENDED

OF ALL the appropriations made by the late legislature, one of the smallest was at the same time one of the most worthy, and practical. It was such a small amount that the Bonanza feels ashamed to state the sum, but, at all events, it sufficed to employ a most capable instructor for the Tonopah School of Mines for a period of two years, as well as leave an infinitesimal balance out of which to pay rental, purchase equipment and defray incidental expenses.

Fortunately a public spirited community is making up the deficiency created by the legislature's niggardly appropriation. The trustees of Tonopah school district came to the rescue by providing free of rental a building that is very well adapted to the needs of the institution. The Mine Operators' association has also promised some support to this school. The students themselves have donated their time to fitting up a chemical laboratory which will be put to use at the beginning of the fall term.

Half a hundred young men, nearly all of whom are practical miners, thoroughly experienced in their calling, but desirous of fitting themselves for positions of greater usefulness with accompanying increased compensation, are taking advantage of this opportunity afforded by the state. Without the liberal donations already made locally, the school could not have been established, but with them it has proven a signal success for its first semester. It is to be sincerely hoped that the law makers composing the next session of Nevada's legislature will provide a more liberal appropriation so that the scope of usefulness of this valuable institution may be greatly enlarged.

BURGLARY THE WORK OF "FIEND"

THE last three burglaries committed in this city have unquestionably been the work of victims of stupefying drugs, or, probably, of one victim, as the manner of operating was similar. In each case morphine and cocaine were sought, while valuable articles that could easily be pledged or sold were not taken.

There seems to be only one way to put an end to these burglaries and that is to resume the rounding up of all persons addicted to the use of morphine and cocaine and giving them the deprivation treatment in the county jail. Doubtless the third degree used upon these "hopheads" would bring to light the burglar who thus far has escaped detection.

This week's copy of the Carrara Obelisk reaching the Bonanza had the lower right hand corner of the first page torn off just at a very interesting place in a story about a goose farm or something. It was at such an exciting point that other subscribers to the Obelisk were importuned for their copies, but each was mutilated in similar fashion. Guess Brother Perkins printed something in that goose story that he overlooked when he turned in the copy. The Bonanza offers a liberal reward for an Obelisk that is intact.

For Your Complexion's Sake Use NYAL'S FACE CREAM

Containing peroxide—it is antiseptic, being greaseless—it is easiest to use.

NYAL'S FACE CREAM will improve your complexion. Men use it after the shave.

25c and 50c jars

PROUTY'S UNION DRUG STORE

WEST END-EXTENSION CASE BEFORE COURT

(Continued from page 1)

That the said California lode mining claim is the same mining claim referred to in paragraph V of plaintiff's complaint, in which defendant has sunk certain shafts, winzes, and other mine workings. That the relative positions of the said California lode mining claim of defendant and the said Egyptian lode mining claim are as disclosed and set forth on that certain plat designated as defendant's Exhibit "A," hereto attached and made a part of this affidavit.

That there is situated upon and in said California lode mining claim a vein or lode of quartz and rock in place, bearing gold, silver, and other valuable minerals, which has its top or apex in the said California lode mining claim; and said vein, at its top or apex and on its course or strike in said California lode mining claim, as far as disclosed by present developments, crosses the easterly end line of said mining claim and continues westerly therein at least two hundred and fifty (250) feet; that said vein or lode, on its downward course or dip, so far as it appears from the perpendicular to the north and in a northerly direction continuously until it crosses, on its dip, the perpendicular plane drawn through the northerly side line of said California lode mining claim and the southerly side line of the said Egyptian lode mining claim, and extends into and under the surface of the said Egyptian lode mining claim between vertical planes through the boundary lines thereof, to a distance unknown to defendant, and which defendant is unable to ascertain on account of having been restrained, by the order of this court issued July 15, 1915, from pursuing further development work upon said lode or vein.

That said defendant company, since about the month of October, 1914, has developed the said vein or lode from its said top or apex in the California lode mining claim on the dip thereof in a downward northerly course across the vertical bounding plane passing through the northerly side line of said California lode mining claim into and beneath the surface, and within the vertical bounding planes, of the said Egyptian lode mining claim. That the said development work of the said defendant company was so performed by following the said vein in its said downward northerly course from its said top or apex into and beneath the surface of the said Egyptian lode mining claim, and that the said vein or lode, throughout the said development work, was continuous throughout its entire course.

That said development work upon and along the said lode or vein, from its top or apex down into and beneath the surface of the said Egyptian lode mining claim, consisted in part of an upraise, marked R. 344 upon the plat hereto attached, marked Exhibit "B" and made a part hereof, and in part by an incline winze, marked upon said Exhibit "B" as Wz. 344, and which said raise and winze have been run and excavated continuously upon and along the said lode or vein from its said top or apex, on its dip downward in a northerly direction, into and beneath the surface of the said Egyptian lode mining claim, to a point more than one hundred and fifty (150) feet from the point where the said vein, on its dip, crosses the vertical plane passing through the northerly side line of the said California lode mining claim into the said Egyptian lode mining claim. That affiant is informed and believes, and upon such information and belief alleges, that the bottom of said winze Wz. 344 is not more than fifteen (15) feet from the top of a stope situated in the said Egyptian lode mining claim, and which stope is a part of the mine workings of the plaintiff company, and that said stope and the top thereof, affiant avers and believes, is of and on the same vein or lode as that upon which the afore-said raise and winze have been prosecuted. That this defendant company has not accurate surveys showing the exact location of the afore-said stope, but from the information that it possesses, and which it believes is approximately correct, it has caused to be marked upon the said plat Exhibit "B" the lines indicating the said stope, and marked "Stope Approximate; No Survey."

That upon the beginning of operations of the defendant company in sinking said winze Wz. 344, affiant notified John G. Kirchen, general manager of plaintiff company, that such development work of sinking said winze on said vein was under way and was being prosecuted; that at all times thereafter, while said defendant company was sinking said winze upon said lode or vein, and within the vertical boundaries of and beneath the surface of the said Egyptian lode mining claim, the plaintiff company and its officers and agents were given full and free permission and opportunity to go into and through all of said underground workings in the said California lode mining claim and the said Egyptian lode mining claim along the said vein, and that the agents and representatives of said plaintiff company, accompanied by the representatives of the defendant company, did go into and through all of said underground workings upon the said vein or lode from its top or apex in the said California

lode mining claim down, through, and along the said raise and winze into and under the surface of the said Egyptian lode mining claim to the bottom of said winze; and said plaintiff company, and its agents and officers, were fully informed, advised, and cognizant of said mining operations and consented thereto until the 12th day of July, 1915, at which time defendant company suspended operations in the sinking of said winze at the request of plaintiff company, in order that plaintiff might have an opportunity of thoroughly examining said workings; and at the request of plaintiff company the defendant furnished the plaintiff with a copy of its said maps showing the position of the said development work on said vein from its said top or apex down to the bottom of said winze Wz. 344. That this affiant, acting for and on behalf of the defendant company, at the same time requested the said plaintiff company likewise to furnish to the defendant company a copy of its maps showing the position of its workings in this vicinity, and particularly a map showing the said stope near the bottom of said winze Wz. 344, but which request was then and ever since has been refused by said plaintiff.

Affiant alleges that it was the intention and purpose of the defendant company, had it not been restrained by the order of the said court, as hereinabove set forth, to prosecute the sinking of said winze Wz. 344 in and upon the said vein to greater depth in order to ascertain and determine if the said vein or lode did or did not continue downward on its dip into and through the said Egyptian lode mining claim. Affiant avers that the said vein or lode, from its said top or apex down to the lowest point of the said winze, was continuous, and that, in the opinion of this affiant, the said vein would continue on its downward course to greater and unknown depth within said Egyptian lode mining claim.

This affiant denies that the said plaintiff company is now or ever was the owner of any part of said vein or lode, but alleges that the same is owned by and belongs to the said defendant company, and that plaintiff has not and never had any right to the possession of the same or any part thereof.

Affiant denies that the said defendant company has ever, by means of said mine workings so made and extended by it within or underneath the surface of the said Egyptian lode mining claim, or within the surface lines thereof, or by any means whatsoever, willfully, wrongfully, unlawfully, secretly, or without the license, knowledge, or consent of the plaintiff, entered upon or broken into the said Egyptian lode mining claim or worked or mined therein, or is now working or mining therein; but, on the contrary, this affiant alleges that at all times the said defendant company, in so performing the said work of operating in and developing the said vein or lode, has done so rightfully and as the owner of said lode or vein, and the sole owner of the right to mine and develop the same to its fullest extent.

This affiant denies that the said defendant company has ever, in any manner at all, trespassed upon or is now trespassing in or upon the said Egyptian lode mining claim or any part thereof, but alleges that all of the said work of mining, operating and developing in and upon the said vein or lode has been by reason of the ownership thereof by the said defendant company.

Affiant alleges that, in the prosecution of the said work of developing the said vein or lode within the boundaries of the said Egyptian lode mining claim, he, as superintendent, has carried on and conducted the same in a careful and minerlike manner, and in the same manner as such mining operations are usually conducted; that the said character of work of making connections between different parts of underground workings in mines is of ordinary and common occurrence, are always carefully made, and without causing injury or damage to any part of the works so connected. In this connection this affiant further alleges that, in the event any damage should be done to any part of the works so to be connected, it would be of slight character and readily and cheaply repaired. In this connection, affiant, referring to paragraph VII of plaintiff's complaint, denies that the, or any, blasting or shooting or work carried on, or threatened to be carried on, by defendant company in so developing the said vein or lode in the said winze beneath the surface of the said Egyptian lode mining claim, will in any manner whatsoever endanger the plaintiff's workings or any part thereof; and denies that the said, or any, blasting so to be carried on by defendant company in such development work is, or will be, of a kind or character that will shake down, break up, or loosen to any unusual amount the earth or rock, walls, roof, sides, or back of said underground workings of plaintiff, or will cause any serious damage, or any damage that could not be readily repaired at small expense.

This affiant further states, concerning the allegation contained in paragraph VII of plaintiff's complaint to the effect that the work so to be carried on by defendant company will render the workings of plaintiff company unsafe to the miners employed by plaintiff that while said operations were being conducted in said winze Wz. 344 by said defendant upon said lode or vein within said Egyptian

lode mining claim, affiant was informed by plaintiff's engineers that plaintiff company was not working any men in its mine workings adjacent to or in the vicinity of said winze Wz. 344 on the night shift; that, therefore, no injury could result to any of plaintiff's employees from the blasting done or to be done by defendant, which blasting was carried on exclusively and only on the night shift. Affiant alleges that if the statements of plaintiff in its complaint, concerning the danger to its employees, are true, then plaintiff must have placed its employees near the vicinity of the workings of said winze on July 15, 1915, and for the purpose of bringing this action by plaintiff and to hinder the defendant in the prosecution of its contemplated work. Affiant further avers, in this connection, that the said defendant company has the right, by reason of the ownership of the said vein or lode, to carry on and prosecute the said work of developing the same in the bottom of said winze, and whithersoever the said vein may extend into and beneath the surface of the said Egyptian lode mining claim; and if any of the works of said plaintiff company are near the said vein or lode, or where the said operations of defendant will be carried on, then the safety of any men employed by plaintiff company can be readily safeguarded by the arrangement of a convenient and safe blasting work.

This affiant denies the allegations set forth in paragraph VIII of plaintiff's complaint, that it is unsafe to delay injunctive relief to plaintiff until a notice can be filed, served, or heard or at all; and denies that the work done or performed, or threatened to be done or performed, by defendant destroys the value of plaintiff's estate or property in the said Egyptian lode mining claim, or that plaintiff will suffer irreparable or any injury by reason of such work, or any such work, so to be performed by defendant; and denies that any of such work will result in any physical injury to any of plaintiff's employees; and denies that it will destroy in any manner the plan of plaintiff's workings or that it will cave or fill any of the underground openings of plaintiff's said Egyptian claim, and denies that there has been or will be any damage therefrom, or that any damage incident thereto would be impossible of any ascertainment.

In this connection affiant further alleges that defendant has at all times shown a willingness and a desire to so conduct, and has conducted, all of its mining operations in the sinking of the said winze Wz. 344 in the said Egyptian lode mining claim as not to cause plaintiff or its mine workings any damage or injury whatsoever, nor to threaten the safety of any of the employees of plaintiff, all of which the said plaintiff's officers and agents well know; that, as hereinbefore set out, this affiant, acting for and on behalf of the said defendant company, has at

all times given the said plaintiff company and its representatives and officers full information concerning all of the said underground work carried on by defendant company, and full opportunity of examining the same at all times, and that the said plaintiff company knows well that none of said work has been conducted in a manner that will injure or cause injury to the said plaintiff company, its properties, or its employees.

Affiant further alleges that, in order

that the defendant company may answer and defend this action, it is necessary that this Honorable Court permit defendant company to continue with the further development of its said California vein or lode by sinking the said winze Wz. 344 to a greater depth, and also that defendant company be granted and given permission by the order of this Court to enter into the underground works, tunnels,

(Continued on Page 3.)

Nevada First National Bank of Tonopah

Capital, \$100,000.00

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